

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

YOLANDA REED and DERRICK REED,)
)
Plaintiffs,)
)
v.) CASE NO. CV421-338
)
STATE FARM FIRE AND CASUALTY)
COMPANY,)
)
Defendant.)
)

O R D E R

Before the Court is Defendant State Farm Fire and Casualty Company's Notice of Filing Removal. (Doc. 1.) On October 22, 2021, Plaintiffs Yolanda and Derrick Reed filed this case in the State Court of McIntosh County, Georgia. (Doc. 1, Attach. 1 at 2.) On November 24, 2021, State Farm Fire and Casualty Company removed the case to this Court pursuant to 28 U.S.C. § 1441. (Doc. 1 at 1.)

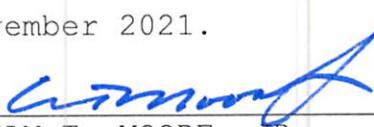
The party removing the case to federal court "bears the burden of proving that federal jurisdiction exists." Williams v. Best Buy Co., 269 F.3d 1316, 1319 (11th Cir. 2001) (citing Kirkland v. Midland Mortg. Co., 243 F.3d 1277, 1281 n.5 (11th Cir. 2001)). Defendant's notice of removal appears to be missing a page. (See Doc. 1 at 3-4.) The notice of removal currently before the Court

does not contain allegations that establish this Court's jurisdiction over this case. (Id.)

Additionally, 28 U.S.C. § 1441(a) provides that a defendant may remove a case "to the district court of the United States for the district **and division** embracing the place where such action is pending." (emphasis added). The Court notes that McIntosh County is in the Brunswick Division of the Southern District of Georgia, not the Savannah Division.

Accordingly, Defendant's notice is not sufficient to establish federal jurisdiction. The Court also questions whether Defendant removed the case to the appropriate division. Defendant is therefore **DIRECTED** to file within **fourteen (14) days** from the date of this order an amended notice of removal showing that federal jurisdiction exists and that the Savannah Division is the appropriate division for this action.¹

SO ORDERED this 30th day of November 2021.


WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

¹ The Court will not accept any amended notice of removal that incorporates by reference any factual allegation or argument contained in an earlier filing, or that offers only a piecemeal amendment. Defendant's amended notice of removal should be a stand-alone filing that independently contains all the factual allegations necessary to establish removal is proper.